G R. S IX-5]

Previous references
Jud 383-10 Nos 1, 2 13 Aug 11
Jud 382-10 Nos 1, 2 13 June 11 1917.

(MK)

Later references

File No 336-11

Serial Nos. 1, 9

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 1, 9

Part B for June 17

SUBJECT

Amendment of Sec 110 of Jud Regn, allowing Jud Commrs Powers to sell immovable property when the estimated value does not exceed Rs 200/-

No 1005-60 of 1916 13 Th the 8-C's of Dts

Action are to be taken to amend the law

Observations upon 9/1/18

W D.16—G.P.S.—30,000—21-1-18

C 109.
18-10-12

G.R.S. 11] 1911 .12

GENERAL AND REVENUE SECRETARIAT
(Mund)

NOTES.

336

File No 11

See File Heading

Amendment of the Bangalore Municipal Regulation

From Subject No 29 of the Proc. of the Representative Assembly for Nov 11

No.	Dated	Received

Diary No. 6599	Enclos	Spare Copies.	Serial No 0

Brief Abstract of Letter

Suggests the Amendment of Sec 40 of the Mund Regn allowing Mund Councils to sell immovable properties when the estimated value does not exceed Rs 200 or delegating to it powers to exercise the powers of Govt under Sec 40 Sub Sec (2).

NOTES AND ORDERS

Dept of Govt — will be considered.

The matters discussed at the Representative Assembly were already before the Government. Please see Mund Rule Nos 382-10 Vols & 383-10. Vols. In the

Z day

Notes—First Sheet

GPB—30,000—12-8-11

6574

G R. S. 12]

General and Revenue Secretariat | Mf File No. 386 of 191 /

Serial No

2

the first file it was decided that the powers of Govt to sanction the sale etc of immovable property cannot be delegated to Dy Comrs without a legislative amendment of the land section. Dr. is now for decision whether any amendment is called for. There are no specific cases reported to Govt to show that the law as it stands at present has worked hardship.

2. In the second file, the then 1st Councillor (Dewan Bahadur K O Cuttama Chetty, Rajasabhabhushana) who was first of opinion that the provisions of law regarding the sale of immoveable property in Municipalities required amendment recorded the following opinion in the end

"After all, this seems a whole-some provision and may be left undisturbed."

J

y

Mf K80 Mm/12 (Secy) 13-6-12. Mee
11 6 1912

I think there is some hardship in the rules as they stand. But

NOTE--Contn. sheet.

GPH—80,000—30-1-13

6579

G R. S 12]

General and Revenue Secretariat.

Ind File No. 336 of 1911

Serial No

Amendments of the Tamil Regulation may not be undesirable. The question may be submitted for the orders of Government in Council of the 2nd Councillor should it not be so

2nd Councillor 23 1/7/12

5 The Amendment seems necessary. Standard Symbol: The Dewan 2nd 1/7/12

2nd 10-7-12

6 Dewan 2R 9/7

7 The subject seems to have been discussed once before & the late 1st Councillor who was decidedly in favour of the proposal in the beginning was equally opposed to it in the end & the proposal was dropped —

8 Before the Municipalities Act came into force by 1st there were sitting house rates — This machinery is reserved —

NOTE Contn sheet.

H. S. 12]

General and Revenue Secretariat.

File No. 336 of 1911

Serial No.

10 The Supply Depts may be amended —
" & the Member shall also be the Authority to be consulted & the Depts to give effect to such orders "

12. 1st Consideration

23/27

363. 13. I am inclined to think that it is unnecessary to transfer this Power altogether to Govt. It would be sufficient to add a clause to S. 40 (2) as follows — (following the Bombay Act) —

" The sanction of Government under this Clause may be given either generally for any class of ~~Cases~~ cases, or specially in any particular case, and may be subject to any specified Con-

Note—Contn. sheet.

GPS—10,000—20-1-13

G R S 12]

General and Revenue Secretariat

Ind File No. 336 of 1911

Serial No

deletions.[11]

~~11~~ The last provision would enable ~~for~~ Govt to lay down that the Dy C's sanction shd be obtained &c-

28/7/12

Dh
30/7

14 Dewan
Immign 2nd Convention

2B
22/8/12
SM
22-8/12

15 The unofficial members are chosen exactly by persons who are themselves elected or nominated by law[1] after careful consideration I do not see why such a body should not be given larger powers to a certain extent, say

NOTE—Contn sheet.

GPB—20 000—20 1 12

[G. R. S 12]

General and Revenue Secretariat | File No. 382 of 1911

Serial No

of Rs an estimated value of Rs 200 this will relieve [illegible] an amount of unnecessary routine work and at the same time [illegible] there will be saving of time.

3124
29.8.12

24/8/12

JP 28-8-12

Please bring up at Council meeting with reps on the point from the file relating to the cancellation of the Regulation which under-

17 B III (Asst Secy)
Please note and keep above papers
as we have the papers relating to the Ordinance

Jmes 25

18 Perhaps refer

19/9/12

Note—Contin. sheet.

GPB—31,000—17-4-12.

7

[R. S 12]

General and Revenue Secretariat — MC File No. 336 of 1911-12

Serial No.

Submitted

1) The Municipal Regn., 1906, file (Cys 13 of 1906-08) is herewith put up. Sec: 40 does not seem to have been discussed. It was hastily adopted along with other sections from the Bombay District Municipal Acts, III of 1901. The old Municipal Regulations do not contain a provision regarding disposal of sites and Branch IV may perhaps be consulted on the procedure that was being followed in such cases in the Bangalore and Mysore city Municipalities to which alone the old Municipal Regulations were applicable.

By IV Branch Kindly note info about the file

28/9/12 (S.S.) 29/9/12

2) The discussions in connection with the passing of the Mun. Regn. of 1906 do not contain any reference to Sec. 40

T. Foster

25-9-12

NOTE Contn above.

Sealed 28/9/12

GPD—20,000—20-2-12

G R S 12]

General and Revenue Secretariat

File No 336 of 1911-12

Serial No

23 Submitted Prior to the passing of the new Municipal Regulation VII of 1906 two references were being received from the Presidents of the two Municipalities of Bangalore and Mysore for confirmation by Govt. of sales of vacant buildings sites in those cities, though the Presidents were systematically applying to Govt. for sanction for the grant of sites in cleared areas to applicants. It is respectfully suggested that the two Municipal Presidents may also be invested to absolute sites made

Mad 30

30.9.12 24 B v III

SOL 30-9-12

25 Submitted

(58) 2/10/12

26 Submitted [Please see Dewan's order on p 67

2/10/12

C Clerk

27 Note for meeting 22

3/10

NOTE—Contn sheet

Extract from the Proceedings of the 298th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 21st, 23rd 24th & 25th April 1913

---

20. Subject.-(Clause ii of the Schedule).

Proposal to amend section 40 of the Municipal Regulation so as to empower Municipalities to sell ~~xxxxxxxxx~~ immovable properties not exceeding Rs.200/- in value within their jurisdiction.

Opinion of the Council.

28 Section 40 of the Regulation may be amended so as to make provision therein for delegating to Deputy Commissioners the power vested in the Government under the section.

Sd/- M Visvesvaraya
Dewan of Mysore

"Extract"

Asst Secretary
Offg Secretary to Govt

GPB—1000—15-5-13

G R S 12]

General and Revenue Secretariat

File No. 336 of 1912

Serial No	
	29 Submitted with Enclosures & Connected proceedings [illegible] & "Final note prepared by the Dep[t] Secy" 2nd Comments 25/9/5
	30 Khan Bahadur who appears to be [illegible] 15/1/13
3098/17.5.13	31 Dewan 25/12/5

NOTE—Contn sheet

GHB—20 600—20 1 12

Final Note of the Second Councillor

32(1) The proposal to authorize every Municipal Council to sell, without the sanction of Govt, any immoveable property belonging to it and not exceeding Rs 200 in its estimated value has been engaging the consideration of Govt since it was last mooted in the Representative Assembly (Subject No 27) of 1911.

(2) Under Sec 40 of the Municipal Reg every sale of immoveable property by a Municipal Council requires the previous sanction of Govt Hence the proposal involves amendment of the Regulation as it

(3) To save time of correspondence and to invest the Deputy Commissioners as Presidents of Municipalities with necessary powers it is considered desirable to delegate to them the power now vested in Govt up to a limit of Rs 200 The Deputy Commr used to sell sites without reference to Govt before the Municipal Reg came into

Illegible
9/8

Illegible
10/5/13

Final note of the Second Councillor.

Subject:- Proposal to amend section 40 of the Mysore Municipal Regulation so as to empower Municipalities to sell immoveable properties not exceeding Rs.200/- in value within their jurisdiction.

32(1) The proposal to authorize every Municipal Council to sell, without the sanction of Government, any immoveable property belonging to it and not exceeding Rs.200/- in its estimated --- value had been engaging the consideration of - Government. It was last mooted in the Representative Assembly (Subject No.27) of 1911.

(2) Under section 40 of the Municipal Regulation, every sale of immoveable property by a -- Municipal Council requires the previous sanction of Government. Hence the proposal involves --- amendment of the Regulation itself.

(3) To save time and correspondence and to invest the Deputy Commissioners, as presidents of Municipalities, with necessary powers, it is - considered desirable to delegate to them the - power now vested in Government, up to a limit of Rs.200/- The Deputy Commissioner used to sell sites without reference to Government before the Municipal Regulation became law.

10/5/11

33 *Submitted to His Highness*

M

I submit herewith a 'Final Note by the Second Councillor' on a proposal to amend section 40 of the Mysore Municipal Regulation so as to empower Municipalities to sell immoveable properties not exceeding Rs 200 in value within their jurisdiction

(2) The recommendation therein contained may be approved.

M Visvesvaraya
16th May 1913

BR

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject

Amendment of Section 40 of the Mysore Municipal Regulation so as to empower Municipalities to sell immoveable properties within their jurisdiction

1346
K.S.A.3

982

Order

34 Approved
KRW
22/5/13

35 Secretary
22 5 13

36 Put up draft
21/6/13

Secy
9015

R S 12]

General and Revenue Secretariat

Judl File No. 336 of 1911

Serial No.

37 Draft of an order is submitted.
38 After issue of the order the file has to be sent to Branch III for taking action to amend the Regulation. Attention is invited to the 1st Councillor's note on pages 5 or 6 supra. (para 13).

HMcP 6.6.1913 (15) 39 Draft may be approved
DJ Key)

DJ 6/6/13

40 The second sheet of the draft should be numbered as revised

Drm 6/6

3

41 Attended to

HMcP 6 6 1913 (15) 42 DJ Key)
2nd Councillor)

ZY 7/6/13

Drm 9/6

43 approved
WCL
1916

ES 15/6 Drm 16/6

44 Issue ZY 17/6/13

9 To the Registrar of D&S & to Diwan Bahadur P. Rama Rao & Sons Mowbazar, Chittoor Colln Kindly thro' the Registrar, Chittoor Dist. No 10051-6.

Note—Cohin. sheet.

R S. 12]

General and Revenue Secretariat.

Jud File No. 336 of 1917

Serial No

No 10051-60 dated 19th June 1913

State that action will be taken to amend Sub-Sec (2) of Sec 40 of the Mysore Munl Regn so as to enable Govt to delegate the power of sanctioning sales of immovable property to the Deputy Commissioners of Districts.

45. The file after passing Submission to the Forest Councillor for perusal of Hon'ble order may be transferred to Branch III for needful action in the Legislative Section

Sd/- 8/7/13

46. yes
HH
Wdrs

47 Submitted for the perusal of Hon'ble order dated 22nd May 1913 approving of the proposal to amend Section 40 of the Mysore Municipal Regulation.
HH
Wdrs

48 [illegible]

[illegible]

49. Transferred to Br III for further action

Br III)

Bm
12/7

Jais 13/1913-14 & 14/7/913

NOTE—Contin sheet.

" R. S 12]

General and Revenue Secretariat | Ml File No. 336 of 1911-12

Serial No

50 Submitted

Already there is one Bill to be before the Legis. council for amending the Ml. Regulation If this Bill is also taken up and introduced into the Council before the other one is passed into law it might lead to some confusion in referring to the same in the Council.

Moreover instead of dealing with these amendments piecemeal if all the pending amendments be sent to this Branch collectively a consolidated Bill can easily be drafted and got approved and kept ready for being introduced into the Legis council as soon as the present Bill which has not been referred to a Select Committee should be passed by the Council.

These points may be considered by a

16/7/13 2. Please put up draft of a Bill on these matters with St. of Objects & Reasons. The points may be considered afterwards

Subd. with a draft Bill and Statement

NOTE—Contin ahead.

(F. R. S 12]

General and Revenue Secretariat

File No. 336 of 1911-12

Serial No

Objects and reasons.

(58)
29/7/13 Please bring up note a statement showing all amendments of the Mil Regs sanctd by Govt, pending in this branch for action being taken in the legve Counsel

SDM 29/7

Subd. The files relating to the amendments now pending further action are all in Branch II. May this be transferred to that Branch to return the file with a statement prepared as ordered along and all the files relating thereto.

(58) SW
29/7/13

SDM 5/8

(58 BY W)

A statement of all the questions pending relating to the amendment of the Mount Regulations is forthcoming

Submit as soon as Sum'l file

9.8.1913 (58)

237 of 1910 is received with order

11/8

NOTE—Contn. sheet.

GPB—61,000—17-6-12.

General and Revenue Secretariat. | Mf File No. 336 of 191 /

Serial No.

The file may be returned to Br III as it has been called back.
MK 20.
19 2 [illegible]
[illegible]
7 Br III)

Any
19/2

For action in the Legislative Dept please see file Legis 19-13 (Regs VIII of 1915 Serial No. 1.)

The file is returned to Br VII

30/7/17
VII
30/7/17

Note—Contin. sheet.

GPB—65,000—17-6-12.

D 1027

SUBJECT No. 409 &13 *Summary of Representation* —According to Section 40 of the Municipal Regulation, the power of granting vacant sites in municipalities is vested in Government This is not only inconvenient but entails a lot of correspondence and delay It is therefore prayed that the power of granting vacant sites may be delegated to the Municipal Council or the Deputy Commissioner

Amendment of Section 40 of the Mysore Municipal Regulation, No. VII of 1906

Mr Lingappa, Harihar sub-taluk.

Transferred to Br II for being dealt with there as the subject is understood to be under consideration there

29/7/14

29/7

This matter has been disposed of in Br IV. Please see GO no 1005 1-60 Mul 336-11 dt 19-6-1913 The question of amending the Mul Regn with regd to the above order has been pending in Br III. (Legn Sec). This is therefore retransferred for disposal by Br III

31-7-1914

1/8

Br III)

Sd/- The question of amending the Municipal Regn so as to grant powers to the Municipal Councils to transfer immovable property up to certain extent is before the Legislative Council They this be placed in that file.

Rgt-19-13
I-336-11

1/8/14

Br 1/8

D 6579

mb 336-11/81

SUBJECT No 27

Amendment of Section 40 of the Municipal Regulation

Messrs. U Shiva Rao and S. Manjiah, Chikmagalur Municipality

Summary of discussion.—In the case of every sale of immovable property, including vacant sites of petty value situated within the Municipal limits, the previous sanction of Government is required. Persons desiring to build houses for their immediate use are not allowed to raise the building without the sanction of Government It is prayed that the Council may be allowed to effect sales of immovable property when the estimated value does not exceed Rs 200, or the Deputy Commissioner, as President of the Municipalities, may be delegated with the authority now vested in the Government under clause (2) of Section 40 of the Mysore Municipal Regulation, as much delay occurs in getting the sanction of Government

Reply of Government—Will be considered

Delegation of powers to Bylaws
of power to sell immovable property

336

G.R.S 28]

File No 11

Serial No. 9

Diary No. of letter replied to 6599

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT
(Municl)

, the 19

Date of issue 1913

Signed by mr C V R

READ—

Subject No 27 discussed by Messrs H Shiva Rao and S. Srinivasa Ch Kumaraiah Municipality, at the Representative Assembly of 1911.

ORDER THEREON.—No 10051-60 mle 336-11— dy 1913

Under Sub section (2) of Section 40 of the Mysore Municipal Regulation, VII of 1906 as amended by Regulation IX of 1911 every such Commr of

SUBJECT

H.P.H. 10,000 12-4-10

of immovable property by a Municipal Council requires the previous sanction of Government. Before the Municipal Regulation became law, the Dy Comrs as Presidents of Municipalities used to sell sites in Municipal towns without reference to Government The question of amending the Regulation so as to take power to Govt to delegate to the Dy Comrs the power to sell immovable property belonging to or vested in a Municipal Council subject to certain money limits as to the estimated Value of the property has been engaging the attention of the Govt. The subject was last mooted in the Representative Assembly of 1911, wherein it was represented that Municipal Councils might be allowed to effect sales of immovable property when the estimated value does not exceed Rs 200, or that the Dy Comrs as Presidents of Municipalities, might be delegated with the authority vested

G.R S 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form)

vested in the Government.

2 Action will be taken to amend the law so as to enable Government to delegate the power of sanctioning of immovable property to Deputy Commissioners of Dis

Wel 14/6

Print

Draw 9/6

for Secretary

To

The Dy Comrs of Dists. Messrs L Shiva Rao and S Mayiah, Chikmagalur Municipality, thro' the Dy Comr, Kadur Dist

Copy to Br III

Copy to Copy to the Dasa Sechai